

# **EXHIBIT 17**

## **Excerpts of Deposition of Plaintiff Jon Fitch**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon Fitch ) Case No: 2:15-cv-01045-RFB(PAL)  
Brandon Vera, Luis Javier Vasquez,) )  
and Kyle Kingsbury on behalf of ) )  
themselves and all others ) )  
similarly situated, ) )  
 ) )  
Plaintiffs, ) )  
 ) )  
vs. ) )  
 ) )  
Zuffa, LLC, d/b/a Ultimate ) )  
Fighting Championship and UFC, ) )  
 ) )  
 ) )  
Defendants. ) )

VIDEO DEPOSITION OF JON FITCH  
taken at, Boies, Schiller & Flexner,  
300 South Fourth Street, Suite 800,  
Las Vegas, Nevada 89101 beginning at 9:23 A.M.  
and ending at 4:54 P.M.on Wednesday, February 15, 2017

Reported by:  
Sarah Padilla, CCR NO. 929  
Job No. 296624 Pages 1-257

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1 BY MR. WIDNELL:

2 Q Okay.

3 A Well, no. I wouldn't say it made them  
4 elite. Because in Pride you kind of had to -- you  
5 had to win. You had to win to maintain elite  
6 status. If you just got beat up all the time, it  
7 wouldn't work so great. But UFC, they're the only  
8 ones that just getting that one fight for them  
9 changes things.

10 Q So would you say Kimbo Slice is an elite  
11 fighter?

12 MR. DELL'ANGELO: Object to the form to  
13 the extent it calls for a legal conclusion.

14 THE WITNESS: Again, under my definitions  
15 of an elite fighter, he was, because he built  
16 himself up to a place of notoriety far exceeding  
17 people who may have a higher skill set in fighting  
18 than him. Kimbo, I believe his last fight before he  
19 passed away is the most viewed fight ever, most  
20 viewed MMA fight. I'm kind of guessing at this, but  
21 I think his numbers, more people have watched that  
22 fight than any other fight in the history of the  
23 sport.

24 So I would have to say, yeah, that guy's  
25 an elite-level fighter just because of that

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1 notoriety. If you go down the street and ask  
2 different people a list of different fighters,  
3 chances are Kimbo is the name they're going to  
4 recognize.

5 BY MR. WIDNELL:

6 Q So we're talking about Pride, how about  
7 K-1? If you fought in K-1 would that make you  
8 elite?

9 MR. DELL'ANGELO: Objection to the form to  
10 the extent it calls for a legal conclusion.

11 THE WITNESS: Again, going back to what I  
12 said before, one of the ways to become elite is to  
13 fight in the UFC. The other way is notoriety and  
14 amateur and small regional performance. If you're  
15 an awesome Olympic wrestler and you have some  
16 notoriety, your first fight could be with a big  
17 organization and you'd be elite. In order to  
18 maintain elite status, you have to win, you have to  
19 continue winning and you have to maintain your  
20 notoriety. And that is usually done through  
21 winning.

22 BY MR. WIDNELL:

23 Q Yeah, that's a good point. I should have  
24 asked before going on to K-1. So I think if I heard  
25 you correctly, if you have a winning record in

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1 Pride, does that make you elite?

2 MR. DELL'ANGELO: Objection to the form to  
3 the extent it calls for a legal conclusion.

4 THE WITNESS: No, that's not what I'm  
5 saying.

6 BY MR. WIDNELL:

7 Q Okay.

8 A I'm saying that if you fought in Pride or  
9 another one of those organizations, you'd have to --  
10 because they would be the critical lower-level shows  
11 we're talking about, you would have to perform well  
12 in that lower-level show.

13 Q So what does performing well mean? That's  
14 what I am trying to understand.

15 A That's a difficult question. That's kind  
16 of speculation because everyone has their own  
17 opinion of what performing well is in this sport.  
18 In my opinion, performing well is winning.

19 Q So but I just asked if a winning record at  
20 Pride was enough, and it sounded like you weren't --

21 A It wasn't, but you had to have a winning  
22 record. Because, like, my friend Phil Baroni might  
23 not have had a winning record over there, but he may  
24 win one, lose two, win one, lose two type of things  
25 where he's still competitive. He's still

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1 competitive with the other elites, which makes him  
2 elite.

3 Q I see. So is it fair to say that if you  
4 have a winning record for a certain number of fights  
5 at an organization -- at an organization like Pride,  
6 that you are an elite fighter?

7 MR. DELL'ANGELO: Objection to the form to  
8 the extent it calls for a legal conclusion.

9 THE WITNESS: Not necessarily. There's so  
10 many factors that can go into it. But I find it  
11 would be difficult to win a bunch of fights in one  
12 of the top tier organizations and not be considered  
13 elite. Because if you're winning a lot of fights in  
14 Pride or another show with comparable eyeballs on  
15 it, your notoriety is going to rise. You know,  
16 people like winners. They're going to watch  
17 winners. If you're a winner, people are going to  
18 come back and watch you. So under that notoriety  
19 balance that's going on there, yeah.

20 Q Okay. So you just used a term that I  
21 would really like to understand. You said "top tier  
22 organizations." What do you mean by a top tier  
23 organization?

24 A Top tier, well, there's the UFC which  
25 controls like 90 percent of the market, and then

1 everybody else controls small-time percentages. So  
 2 you have like Pride, Strike Force, whoever  
 3 underneath the top UFC. And the reason is, with the  
 4 contracts, they control the contracts and they keep  
 5 the better fighters to themselves, which allows --  
 6 which doesn't allow growth in the smaller shows.

7 Q Okay. So you said that UFC controls  
 8 90 percent of the market. What's your basis for  
 9 saying that?

10 A Well, I'm not an economist, but the things  
 11 that I've read online point to them numerically  
 12 controlling a large 90-percentile portion of the  
 13 market.

14 Q And what --

15 A Again, I'm not an expert. I'm not an  
 16 economist. So I don't really know what I'm talking  
 17 about with that. That's just stuff I've read. I  
 18 could do a Google search for you.

19 Q Can you give me JUST an example of what  
 20 you've read online that -- is it trade press  
 21 articles?

22 A I have just -- just there have been things  
 23 mentioning how much the companies are making per  
 24 year, what's the profit ratio per year. Nobody's  
 25 anywhere near what UFC is bringing in.

1 Q Okay. So you recall seeing reporting on  
 2 what the different organizations were making in  
 3 terms of revenue -- is that?

4 A Yeah. There have been some reports on the  
 5 revenue.

6 Q Okay. And do you recall any specific  
 7 place where you saw this?

8 A Not specifically, no.

9 Q Okay. Thank you. Can you give me an  
 10 example of other top tier organizations? I think  
 11 you mentioned Pride. I think you mentioned Strike  
 12 Force. Are there others that you would describe as  
 13 being a top tier organization?

14 MR. DELL'ANGELO: Objection  
 15 mischaracterizes the witness's testimony.

16 BY MR. WIDNELL:

17 Q Okay. I apologize, actually. Maybe I  
 18 misheard that. I think you just said something.  
 19 You referenced Pride and Strike Force in connection  
 20 with top tier organizations. Would you consider  
 21 Pride to have been a top tier organization at the  
 22 time it existed?

23 A The -- I believe that Pride was a  
 24 competitor. They were actually competing with the  
 25 UFC at the time of acquisition.

1 Q What do you mean by "competitor"?

2 A That they had a lot of the big names  
 3 signed. They had people watching the show, people  
 4 talking about them, people arguing about which  
 5 fighters are better, you know, UFC's or Pride's  
 6 champ. And then UFC got rid of them by buying them  
 7 off, all of their champs, bought all of their top  
 8 guys up. That's one reason why they bought them  
 9 because they were top tier. They couldn't allow  
 10 another top tier organization to hang around, cut  
 11 into their profits.

12 Q So it sounds to me like you're saying that  
 13 Pride was competing with UFC for fighters. Is that  
 14 fair to say?

15 A Yes. Yeah. Fighters, MMA fighters,  
 16 athletes compete for belts and titles. Promoters,  
 17 event hosts they compete for the athletes so, yes.

18 Q Okay. So athletes that would consider  
 19 going to UFC to fight for UFC would have thought of  
 20 Pride as being a reasonable substitute; is that  
 21 accurate?

22 MR. DELL'ANGELO: Objection. Calls for  
 23 speculation, and to the extent it seeks a legal  
 24 conclusion.

25 THE WITNESS: I, yeah. It would have to

1 be speculation on my part, but I can go from my  
 2 experience. I signed with UFC in 2005. And it was  
 3 not an option for me because in 2005 I do not  
 4 believe Bushido was around, and Pride did not have  
 5 my weight class. I would have had to have tried to  
 6 put on, like, 30-pounds to fight over there. And  
 7 I -- I didn't want to do that. But my only option  
 8 was the UFC. I had nowhere else to go.

9 BY MR. WIDNELL:

10 Q Okay. But would you say -- I mean, you  
 11 said that Pride competed for fighters. Would you  
 12 say that they were fighters that would consider  
 13 going to UFC and also going to Pride?

14 MR. DELL'ANGELO: Objection. Calls for  
 15 speculation.

16 THE WITNESS: Again, it would have to be  
 17 speculation, but if you were a 205-pounder to heavy  
 18 weigh, there was reason to give pause to decide  
 19 which organization to go to.

20 BY MR. WIDNELL:

21 Q Okay. And is that because your  
 22 understanding is that Pride offered a comparable  
 23 opportunity for fighters to UFC?

24 MR. DELL'ANGELO: Objection. Leading.  
 25 You can answer.

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1 BY MR. WIDNELL:

2 Q So the actual duration of the contract  
3 would have been -- it would have started at the time  
4 of your first fight --

5 A Uh-huh.

6 Q -- and it would have ended at the point  
7 that you renegotiated the contract; is that right?

8 A Yes.

9 Q Okay. And it looks like that time period  
10 was less than a year. Does that sound right to you?

11 A Yeah, it seems correct.

12 Q Okay. And just by way of example, so your  
13 next contract was a four-fight contract, and it  
14 looks like you renegotiated it after the third  
15 fight?

16 MR. DELL'ANGELO: Objection to form.  
17 Foundation.

18 BY MR. WIDNELL:

19 Q Assuming that is the case, would that  
20 contract have been approximately a year-long  
21 contract in terms of actual duration?

22 MR. DELL'ANGELO: Same question -- same  
23 objections.

24 THE WITNESS: Yeah. I don't really  
25 understand what you're getting at.

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1 BY MR. WIDNELL:

2 Q I'm just trying to figure out the length  
3 of time that the contract was in operation.

4 A Well, it's different because, you know, I  
5 fought in one, so they needed to secure me before I  
6 fought my next fight and would be out of contract.  
7 And they wouldn't have wanted to let me go coming  
8 off a couple wins and then letting my contract  
9 expire. So they wouldn't -- I wouldn't see why they  
10 would try to extend that time period as long as you  
11 can.

12 Q I'm sorry. I'm not sure I understand what  
13 you mean?

14 A Yeah. I'm kind of confused with your  
15 question, though. I don't really get what you're  
16 asking.

17 Q So the only question I'm trying to ask is  
18 how long is the contract in operation. And it  
19 sounds like it starts at your first fight and it  
20 ends when your contract is renegotiated. Does that  
21 sound right to you?

22 MR. DELL'ANGELO: Objection. Calls for a  
23 legal conclusion. You can answer if you know.

24 THE WITNESS: I would say more that, once  
25 your contract is initiated, they don't let it really

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1 get to an end. It's not allowed to end. You're  
2 automatically forced to re-sign a new contract. So  
3 it's a new contract, so technically the other one's  
4 over, but it's not really, because they're just  
5 extending a similar position. There's not any real  
6 negotiation taking place. A \$2,000 bump is not a  
7 negotiation.

8 BY MR. WIDNELL:

9 Q So they have the ability to force you to  
10 sign the contract, but they're still giving you a  
11 \$2,000 bump; is that correct?

12 MR. DELL'ANGELO: Objection to the form.  
13 Mischaracterizes the witness's testimony.

14 THE WITNESS: They're giving you no real  
15 option other than to sign the contract. And the  
16 little pay bump is the least that they will give you  
17 in order to kind of legitimize what they're doing.  
18 Because if guys won and didn't get pay bumps,  
19 there'd be less incentive to even be a fighter, an  
20 MMA fighter.

21 BY MR. WIDNELL:

22 Q Okay. So let's --

23 MR. McSWEENEY: Exhibit 51.

24 MR. WIDNELL: Okay. Perfect.

25 (A discussion was held off the record.)

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1 BY MR. WIDNELL:

2 Q Let me refer you now to Exhibit 51. So  
3 Exhibit 51, I think I had already read this in, but  
4 it's ZFL0414103. It's the exclusive and promotional  
5 and ancillary rights agreement. If you look at the  
6 last page, there's a signature on that agreement  
7 that looks like your signature that's dated  
8 January 2nd, 2008. Does this document look familiar  
9 to you?

10 A Yeah, I believe -- I believe so.

11 Q I think part of my confusion in terms of  
12 how I handed this to you was that on the bottom of  
13 the first page, it says "Fighter 2007."

14 A Uh-huh.

15 Q But it looks like you signed this in 2008?

16 A Yeah. You can see that the fight was --  
17 before was the March 1, 2008, which you can see,  
18 that's one of the other strategies they use to force  
19 you to sign the agreements. I hadn't fought since  
20 October.

21 Q I think there's an intervening contract  
22 that I -- which I thought was the contract that I  
23 was handing you, but I think we're going to have to  
24 clear that up. I think there's effectively a  
25 contract that covers your three fights Luigi, Roan,

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1 and Diego. And that this one is now going to be  
2 covering the fight that you have with Chris Wilson  
3 as your first fight?

4 A Yeah. I was just pointing out, this is  
5 one of the strategies they're using. You can see  
6 that fight was March 1, 2008. I hadn't fought since  
7 September, so money's running low, I need money, I  
8 need to fight. This agreement is sent to me in  
9 February; right? So -- oh, wait a minute, that's  
10 January. So that's two months before that fight.  
11 They're holding my bout agreement hostage. They're  
12 holding my next fight hostage until I sign this.  
13 They do that often. I think if you look at the  
14 other one, you'll probably see that too. Signed  
15 4/6, yes. Signed 5/6, which is May, yeah, so I  
16 signed that in May. I fought in June.

17 Q So you're saying that at that time they  
18 were withholding a fight from you until you  
19 resigned?

20 A I'm saying they do that to everybody.  
21 We're going to hold your bout agreement until you  
22 sign your extension. We won't allow you to become a  
23 free agent.

24 Q Okay.

25 A Can we go back to the example with

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1 Arlovski. Roger Huerta is coming to my mind now  
2 too. I think the same thing happened.

3 Q I'm sorry who was?

4 A Roger Huerta.

5 Q Was an example of?

6 A Like Arlovski, wanted to fight out his  
7 contract and they benched him, iced him.

8 Q Okay. So that's another example of  
9 someone that you believe was benched?

10 A Yes.

11 Q Okay. And you don't remember when Huerta  
12 was benched?

13 A I don't know the dates.

14 Q How did you find out about Huerta?

15 A It was very -- it was a public thing. It  
16 was covered in the press.

17 Q Okay. So we don't have the earlier  
18 contract, but let me do this going forward now and  
19 let's see if you believe the same thing happened for  
20 the next one I had mentioned. You might say it did.  
21 So can I get tab 53. I'm going to be handing you  
22 what is marked as Exhibit 54.

23 (Exhibit 54 was marked.)

24 (Discussion held.)

25 MR. MAYSEY: Did I get yours, counsel?

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1 MR. McSWEENEY: You got mine.

2 BY MR. WIDNELL:

3 Q Exhibit 53 is a document with the initial  
4 Bates number ZFL0414089.

5 MR. DELL'ANGELO: Is that 54 or 53?

6 MR. WIDNELL: I'm sorry. Exhibit 54. I'm  
7 sorry. My apologies.

8 MR. DELL'ANGELO: Note for the record,  
9 counsel, on final page of 54 ZFL0414106, the  
10 witness's Social Security Number and passport number  
11 appear.

12 BY MR. WIDNELL:

13 Q And on that last page, is that your  
14 signature?

15 A I believe that is my manager. Or, I'm  
16 sorry, I believe that is my signature. I misspoke.

17 Q Okay. And does this agreement look  
18 familiar to you?

19 A I believe so. Yes.

20 Q All right. So let's go back to Exhibit 51  
21 really quickly. If you look at the term of Exhibit  
22 51, which would be page 4, 5.1. Is that a  
23 four-bout, 18-month contract?

24 MR. DELL'ANGELO: Objection. Calls for a  
25 legal conclusion.

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1 THE WITNESS: I believe that is correct.

2 BY MR. WIDNELL:

3 Q Okay. And then the compensation under the  
4 contract for the four fights, can you tell me what  
5 that --

6 MR. DELL'ANGELO: Objection. Calls for a  
7 legal conclusion.

8 THE WITNESS: So on which one?

9 BY MR. WIDNELL:

10 Q For the Exhibit 51 that we were talking  
11 about?

12 A Which is on page? Page 4 is the term.  
13 What are you talking about?

14 Q The compensation starts on the next page.

15 A Yeah, I see it here now. Yup. I see it.

16 Q Okay. So for the first bout, it is 30/30;  
17 is that correct?

18 A Correct.

19 Q And when I say 30, 30, just to be clear, I  
20 mean it's 30,000 to show and 30,000 to win?

21 A Yeah. That is show and win.

22 Q That's your understanding?

23 A Yes.

24 Q And the next fight after that is 34/34?

25 A Correct.



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1 Q Now, I guess I hear what you're saying.  
2 I'm not saying that you're not a very accomplished  
3 fighter. I think your record stands for itself.  
4 But I was asking if, for the last few fights in the  
5 UFC if you've been winning. It looks like you were  
6 not?

7 A A draw and then a couple losses to guys  
8 who are title contenders or champions. I mean, that  
9 doesn't really take you off. That drops my ranking  
10 from top five into the top ten. I'm still top ten.

11 Q So are rankings really important in  
12 assessing the quality of the fighter?

13 A Well --

14 MR. DELL'ANGELO: Objection  
15 mischaracterizes the witness's testimony.

16 THE WITNESS: That's not exactly what I  
17 said. Rankings are interesting to say the least.  
18 Because when you have a monopolistic environment,  
19 that company, UFC, they heavily influence ranking  
20 especially since they started ranking their own  
21 guys, they dictate who's ranked what. Rankings can  
22 be really important, and they're needed to make it a  
23 merit sport, yet we don't have legitimate rankings  
24 because the organization that should be doing the  
25 rankings, would be independent third party

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1 sanctioning bodies. But they do not exist in mixed  
2 martial arts, because UFC set things up so they that  
3 they were the sanctioning body.

4 Q Okay. So UFC's rankings aren't reliable  
5 from your perspective; is that correct?

6 A In the sense that they can put anybody  
7 ranked anywhere at any time how it benefits their  
8 business, rather than legitimately ranking fighters  
9 who are better than each other. It's collusion,  
10 it's conflict of interest, that they have.

11 Q And are there any other third party  
12 entities that have rankings that you think are  
13 reliable?

14 A In boxing. In boxing they have  
15 sanctioning bodies. And I think the boxing rankings  
16 are very reliable since the Muhammad Ali Act was  
17 introduced. And they have definitive third party  
18 ranking systems, yes. But we don't have that.

19 Q Okay, so there are no rankings that are  
20 done by third parties outside of the UFC --

21 A That far --

22 Q For MMA -- please let me finish -- for MMA  
23 fighters that are reliable, in your opinion, is  
24 that?

25 A In my opinion, rankings cannot be fully

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1 reliable unless they are done by an independent  
2 third-party sanctioning body.

3 Q Okay. So are there any rankings that are  
4 partially reliable?

5 A That's a good question.

6 MR. DELL'ANGELO: Objection to the form.

7 THE WITNESS: I would say that some  
8 independent entities can possibly have reliable  
9 rankings, yet they are usually media-related  
10 companies, and those media-related companies are  
11 heavily influenced by the power of the UFC. If you  
12 do rankings or articles that the UFC does not  
13 particularly like, they will revoke your press  
14 passes and you will not be allowed to cover events  
15 in person. You will not have access to the  
16 athletes. I have gotten e-mails before from the UFC  
17 saying, "Do not talk to these people in the media."  
18 And it's for those reasons. They didn't like them  
19 and they didn't like what they were reporting on  
20 their company.

21 Q So which media representatives were you  
22 told not to talk to?

23 A I do not remember at the time. But I do  
24 remember -- I do remember being told on at least  
25 one, maybe two, occasions that there were people

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1 that we should not talk to that were in the media.

2 Q And when you were told that, did they  
3 explain why you should not talk that to them?

4 A I do not remember.

5 Q Okay.

6 A I cannot remember the reason they gave.  
7 But there were talks about it from other people on  
8 the Internet, other fighters about what it was  
9 about. And I think they were just not happy with  
10 some of the critical writing. I think Sherdog lost  
11 their press pass at least once, maybe more times,  
12 because of things that they had written that the UFC  
13 didn't like.

14 Q So because of your understanding that  
15 Sherdog lost its press pass, would you say that  
16 Sherdog rankings aren't reliable?

17 A I will say that the only rankings that I  
18 truly find reliable are the rankings that come from  
19 third party independent sanctioning bodies that do  
20 not exist in MMA.

21 Q Okay. So just going back to your last few  
22 fights in the UFC before you were cut, do you recall  
23 at that time what the reason -- whether any reason  
24 was given for why you were cut?

25 A After the Demian Maia loss?

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1 Q Yeah.

2 A The only reason that I was given was that  
3 the public statements that Dana White made, that I  
4 was overpaid and that I was on the downside of my  
5 career, even though I lost to contending champions  
6 and ex-champions.

7 Q So when he said you were on the downside  
8 of your career, do you recall if he said anything  
9 more specifically?

10 A I do not recall him saying anything more  
11 specific about that.

12 Q Okay. And you said that when you left, I  
13 think -- and correct me if I mischaracterize your  
14 testimony -- I think you said when you left, you got  
15 paid a lot less money by WSOF; is that correct?

16 A Yes. My -- by being cut by the UFC, my  
17 notoriety dropped, and I was forced into basically  
18 the minor leagues. And I took a severe loss on the  
19 -- you know, I was making 66 and 66 for the Maia  
20 fight, I think is what it was. And I got plopped  
21 into somewhere around 30/30, so it was about a 50,  
22 60 percent drop in pay just because I was forced out  
23 of the UFC.

24 Q Did you look at any other options, or was  
25 WSOF the only option that you were -- that you had?

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1 MR. DELL'ANGELO: Object to the form.

2 THE WITNESS: At that period of time, the  
3 only other viable organization may have been  
4 Bellator, but their setup wasn't something worth  
5 considering at the time. They were heavy into the  
6 tournaments, so to speak, and it wasn't really  
7 something that we wanted to go to. If Scott Coker  
8 would have been president of Bellator when I was  
9 released, that would have been somewhere I could  
10 have considered.

11 BY MR. WIDNELL:

12 Q Why were you not interested into going  
13 into a tournament style organization?

14 A Because tournaments, generally, in my  
15 opinion, are used to build fighters. You have an  
16 unknown fighter who hadn't had a lot of exposure, a  
17 lot of notoriety, you let him fight in a tournament,  
18 and people get to see that fight over and over  
19 again, usually in a quicker succession than guys who  
20 do one-fight-type fights. So the level of notoriety  
21 I had, I should have been fighting for titles, not  
22 fighting in tournaments.

23 Q Would you describe a tournament as more of  
24 a meritocracy than the system at UFC?

25 A Yes, I would agree that a tournament style

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1 is more of a meritocracy system.

2 Q But in this case you weren't interested in  
3 going to a system that was more of a meritocracy?

4 A Because the pay would have been a lot  
5 lower and, yeah, the weighing in on merit versus  
6 money, and then, of course -- it's not -- it's still  
7 not really a true merit, because it's one  
8 organization in a sport.

9 If the entire sport was run via tournament  
10 style, then, yeah. If everybody in the sport had to  
11 face everybody else through a tournament, yes, that  
12 would be great. But in a single organization where  
13 you're stuck with that one organization and not  
14 allowed to cross promote, you're not fighting people  
15 from other organizations, then, no, I would not  
16 think that is a true meritocracy.

17 Q You said that was the system at Bellator  
18 then. Has the system changed since?

19 A Yes. Scott Coker got rid of the  
20 tournament system. Sometimes he does do a  
21 tournament-type thing. But that, again, he's still  
22 building guys.

23 Q Okay. I think you said the money was a  
24 lot less at Bellator than at WSOF?

25 A Uh-huh.

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1 Q What was your recollection about what the  
2 money would have been at Bellator?

3 A We didn't talk money, so I don't know.  
4 But we have guys who were fighting -- I don't want  
5 to say that we had, I mean my management was  
6 managing other people who were fighting in Bellator.  
7 And it wasn't -- it wasn't a viable choice. Looking  
8 at what those guys were getting paid in that  
9 organization, it wasn't something we were looking  
10 at.

11 Q And what were you paid at WSOF?

12 A I don't have it right here in front of me.  
13 It might have been close to 30 and 30, along those  
14 lines, maybe even 25 and 25. But I think it was  
15 around that 30 to 30.

16 Q And what were you getting paid at UFC  
17 before you left, do you recall?

18 A When I was cut from UFC, I think it was 66  
19 and 66.

20 Q Okay. Were there any other options out  
21 there that you have gone to?

22 MR. DELL'ANGELO: Object to the form.

23 THE WITNESS: Again, at that point in  
24 time, UFC had already bought up all the legitimate  
25 competition and there really wasn't anywhere for me



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1 promote, and you could fight for those belts from  
2 those independent sanctioned bodies.

3 Q Is it your understanding that all  
4 promoters right now basically require you to fight  
5 fighters within their promotion?

6 MR. DELL'ANGELO: Objection to the form.  
7 Vague.

8 THE WITNESS: To my understanding, most of  
9 the time guys are going to be restricted to fighting  
10 for one organization. Scott Coker does do some  
11 things where he actually co-promotes a little bit.  
12 But it's -- it's very, very minimal.

13 BY MR. WIDNELL:

14 Q Does WSOF co-promote at all?

15 A I do not believe that they do. But I  
16 think I remember -- I think when Ali was the match  
17 maker/vice president, he did extend an offer to  
18 Bellator to fight champions. But it's very, very  
19 unlikely. It doesn't happen often, and, yeah, that  
20 was more of a publicity stunt. He was trying to  
21 prove his organization was better than Bellator, so  
22 he was trying to get fights between champions set  
23 up. Boxing, they co-promote all the time. And I  
24 think that would be a much better scenario for us.

25 Q Why do you think smaller promoters don't

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1 co-promote?

2 MR. DELL'ANGELO: Objection to the form.  
3 Calls for speculation.

4 THE WITNESS: In my opinion, the smaller  
5 promotions generally are happy being number two to  
6 big dog, UFC. And they are mostly fighting against  
7 each other for the up-and-coming guys and acting as  
8 feeder systems to the UFC rather than competitors  
9 of.

10 MR. WIDNELL: Okay. I have no further  
11 questions.

12 MR. DELL'ANGELO: Okay. We will read and  
13 sign.

14 THE VIDEOGRAPHER: We are now off the  
15 record. The time is 4:54 P.M.

# 1 CERTIFICATE OF WITNESS

2 PAGE LINE CHANGE REASON

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I, Jon Fitch, witness herein, do hereby  
certify and declare under penalty of perjury the within and  
foregoing transcription to be my deposition in said action;  
that I have read, corrected and do hereby affix my signature  
to said deposition.

Jon Fitch

Witness

Date

1 STATE OF NEVADA)

) ss

2 COUNTY OF CLARK)

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I, Sarah Padilla, a duly commissioned and  
licensed court reporter, Clark County, State of Nevada,  
do hereby certify: That I reported the taking of the  
deposition of the witness, Jon Fitch, commencing on  
Wednesday, February 15, 2017, at 9:23 A.M.; That prior to  
being examined, the witness was, by me, duly sworn to  
testify to the truth; That thereafter I transcribed my  
shorthand notes into typewriting and that the typewritten  
transcript of said deposition is a complete, true, and  
accurate record of said shorthand notes. I further certify  
that I am not a relative or employee of any attorney or  
counsel of any of the parties nor a relative or employee of  
an attorney or counsel involved in said action, nor a person  
financially interested in the action; that a request  
[x] has [] has not been made to review the transcript.

IN WITNESS WHEREOF, I have hereunto set my  
hand in the County of Clark, State of Nevada, this \_\_\_\_  
day of \_\_\_\_\_.

SARAH PADILLA, CCR 929